

COLCHESTER PLANNING COMMISSION

MINUTES OF THE MEETING

OCTOBER 21, 2008

PRESENT: Rich Paquette, Tom Mulcahy, Tom Berry, Pam Loranger and Peter Larrabee

ALSO PRESENT: Sarah Hadd, Town Planner

1. Call to Order

T. Berry called the meeting to order at 7:05 p.m.

2. Update on Flood Plain Regulations

S. Hadd provided an update on the Flood Plain Regulations and discussed the information she received and recommended wording from the State, which if adopted, would put Colchester's Floodplain and Wastewater Regulations in conflict of each other. S. Hadd informed the Commission that she is going to continue to work with the State and will hopefully have the issue resolved shortly. She recommended that the Commission schedule time on their November 4th agenda to consider a finalized draft of the Flood Plain Regulations and consider warning a hearing in early December for Supplement 21.

3. Transfer of Development Rights Discussion

S. Hadd updated the Commission on the growth center application for Severance Corners and the impact of transfer of development rights on the growth center. She discussed the issue of density and explained that the State wants the majority of growth to occur within the growth center over the next 20 years. In order to accomplish this density within the growth center should be increased or density outside the growth center should be decreased. Town move towards 12 dwelling units per acre noting that presently Colchester is at 4 dwelling units per acre.

S. Hadd asked the Commission to consider whether Colchester should try implementation of TDR or decide if it is not something that will work in Colchester. S. Hadd explained the concept of transfer of development rights in which a developer purchases (at market rates) development rights from a landowner in qualified sending zone (designated by the Town) and uses them in an approved development in a qualified receiving zone. This results in a conservation easement generally where the Town deems important to conserve land and higher density in a place where the Town wants to see greater levels of development. In the best of both worlds, this method allows for the landowner to landowner transaction of development or conservation rights as the landowners choose without the Town necessarily getting involved. The Town and the Commission have been hesitant to raise the allowed density of the growth center because if the "by right" density for the growth center was high there would be no incentive to buy development rights. While there is a Transfer of Development Rights District on the books (Section 7.06) of the Zoning Regulations, the sending area has never been officially designated.

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S. Hadd discussed that originally Colchester envisioned that the sending area would be the Shipman Hill area. Staff discussed with the Commission the idea of setting all of the Agricultural District as a sending area. The Town is looking at submitting a final application by the end of the month and needs Commission input as to which avenue should possibly be pursued.

The Commission discussed in length the concept of Transfer of Development Rights and the issue of a growth center designation. T. Berry noted that it is necessary to move forward with TDR's if Colchester is going to move forward with the designation of a Growth Center for Severance Corners.

Comments and discussion areas included, but was not limited to, the following:

- adding the Agricultural District as a sending area would devalue the program and then the tool becomes pointless noting that the property owners are looking for a way to be able to afford and keep their property;
- schedule a presentation by Brenda Green on the growth center concept, status update and how it would apply to Severance Corners;
- it is difficult to agree to the proper number of dwelling units to allow when the entire concept is not fully understood;
- impact to tax base and school system – possibly consultant can provide clarification of that;
- what would happen if you make the sending area “small” and as it works it could be expanded as opposed to starting “large” which does not seem to make sense.

T. Berry informed staff and the Commission that he will not be in attendance on the 4th or the 18th of November. The Commission agreed to reschedule the November 4th meeting to November 3rd.

S. Hadd agreed with the Commission that the Severance Corners discussion should be a priority and said she would schedule that presentation for November 3rd.

4. Begin Discussion on Bay Road Portion of Village

S. Hadd provided the Commission of a survey map depicting current businesses, existing zoning and uses. S. Hadd outlined two rezoning requests.

Tax Map 26, Parcel 019003, 1362 Bay Road – vacant building – request to rezone from Commercial to GD1 to allow a single-family residence.

Tax Map 7, Parcel 007003, 838 Bay Road, single family house – request to rezone from Agricultural to partially zoned Residential

The Commission discussed the specific requests. The Commission agreed with the request of 1362 Bay Road would be a rezoning they could support but would not support the request to split zone Tax Map 26, Parcel 007003.

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5. Minutes of September 16th

A **motion** was made by R. Paquette and **seconded** by T. Mulcahy to approve the minutes of September 16th. The **motion passed** with a vote of 5 – 0.

6. Packet Information

S. Hadd provided the Commission with an updated work program and future meeting list.

ADJOURNMENT

There being no further business to be brought before the Commission, a motion was made and seconded to adjourn the meeting. All members of the Commission present voted in favor of the motion and the meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Lisa Riddle, Development Review Coordinator

Approved this 3rd day of November 2008

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